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EXAMINER

TANG, KENNETH

ART UNIT

PAPER NUMBER

2127

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/896,385 | BERGER ET AL. |
| | Examiner | Art Unit |
| | Kenneth Tang | 2127 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 July 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 June 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/01/02, 4/01/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Specification

2. Applicant is required to update the current application status of all related applications on pages 1 and 16 of the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention:
 - a. In claim 1, “providing at least one operating system command-line utility executable to manipulate” is indefinite because it is not made explicitly clear who or what is providing the command-line utility and to who or what is it providing to.
 - b. In claim 1, “containing” is indefinite because it is not made explicitly clear in the claim language if this term implies containment or not. The specification indicates it as the technical field but it is not made clear if it is part of the claim language.
 - c. In claims 1, 10, and 20, “compartment” is indefinite because it is not made explicitly clear in the claim language whether this is a hardware compartment or a software compartment.

d. In claim 10, “at least one configuration file defining at least one compartment” is indefinite because it is not made explicitly clear in the claim language where this is from.

For example, it is unclear if it is located in the compartment or outside the compartment.

In addition, it is not made explicitly clear whether there is one configuration for one compartment, or if a configuration file can be defined for multiple compartments, for example.

e. In claim 10, “means for performing management” is indefinite because it is not made explicitly clear in the claim language who or what is performing the management.

f. In claim 20, “managing at least one compartment” is indefinite because it is not made explicitly clear who or what is doing the managing.

g. In claim 20, the terms “at least one process can be associated with said at least one compartment and said at least one compartment defines accessibility of resources for said at least one process” and “at least one command-line utility executable to manipulate said at least one compartment” are indefinite because it is not made explicitly clear in the claim language whether there is one process associated with one compartment (or more), and so on. In addition, it is not made explicitly clear who is doing the manipulating of the compartment.

4. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: a) “at least one processor” to “at least one compartment” and b)

“at least one processor” to “management”. In addition, it is unclear in the claim language whether one processor is assigned to one compartment (or multiple compartments).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Purdy et al. (hereinafter Purdy) (US 6,115,719).

6. As to claim 1, Purdy teaches a method of administering a processor-based system, said method comprising the steps of:

implementing at least one compartment (component with containment) for containing at least one process executable (script) on said processor-based system (*see Abstract and Fig. 4, item 86*); and manipulating said at least one compartment (modifying software components) (*see Abstract*).

7. As stated previously, Purdy teaches manipulating the compartment and it is inherent that there is an operating system command-line utility (computer instructions or scripts) for the manipulating because without them, the manipulating could not occur.

8. As to claim 3, Purdy teaches wherein said at least one process is labeled to identify the compartment in which it is contained (*Fig. 4, items 66 and 82*).

9. **Claims 10, 12, 15 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Manukyan (US 6,687,733 B2).**

10. As to claim 10, Manukyan teaches a system comprising:
at least one processor (*col. 8, lines 25-26*);
an operating system implementing at least one compartment (component) to which at least one process executable on said system can be associated (*col. 8, lines 25-38*);
at least one configuration file defining said at least one compartment (*col. 11, lines 29-47*); and

for performing management of said at least one compartment without requiring that a user (administrator) edit said at least one configuration file in which said at least one component is defined (*col. 25, lines 30-34, col. 16, lines 25-41, col. 11, lines 29-47*).

11. As to claim 12, Manukyan teaches wherein said performing management of said at least one compartment comprises manipulating said at least one compartment (*col. 11, lines 29-46*).

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12. As to claim 15, Manukyan teaches wherein said performing management of said at least one compartment comprises switching from a first compartment to a second compartment (*col. 12, lines 42-57*).

13. As to claim 19, it is rejected for the same reasons as stated in the rejection of claim 10. In addition, Manukyan teaches an operating system command-line utility (commands include a set of sequence or instructions and operations that are executed) for the management/manipulation (*col. 11, lines 29-42*).

14. **Claims 20 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1).**

15. As to claim 20, Hyndman teaches a computer-readable medium including instructions executable by a processor, said computer-readable medium comprising:

library (access control library) of software functions for managing at least one compartment (building block or component) implemented by an operating system, wherein at least one process can be associated with said at least one compartment and said at least one compartment defines accessibility of resources for said at least one process associated therewith (*col. 1, lines 34-46 and see Abstract*); and

 said library of software functions includes at least one command-line utility executable to manipulate (editing) said at least one compartment (*see Abstract*).

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16. As stated previously, Hyndman teaches manipulating the compartment with a graphical user interface (GUI) and it is inherent that there is an operating system command-line utility (computer instructions or scripts) for the manipulating because without them, the manipulating could not occur.

17. As to claim 24, it is rejected for the same reasons as stated in the rejection of claim 20. In addition, Hyndman teaches implementing and manipulating at least one rule (*col. 2, lines 26-29*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. **Claims 2 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purdy et al. (hereinafter Purdy) (US 6,115,719) in view of Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1).**

19. As to claim 2, Purdy fails to explicitly teach wherein said at least one compartment defines whether said at least one process contained therein is allowed access to particular system resources. However, Hyndman teaches storing access control data pertinent to components including all resources accessible to the building blocks (*see Abstract*). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to include the feature of at least one compartment defines whether said at least one process contained therein is allowed access to particular system resources in order to increase the security by obtaining the information needed to allow access to the users that have the rights or privileges (*see Abstract*).

20. As to claim 7, Purdy fails to explicitly teach wherein said implementing step comprises providing at least one rule that defines containment of said at least one compartment in at least one configuration file. However, Hyndman teaches a rule-based system for containment (access control) for compartments (building blocks or components) (*col. 1, lines 34-46, col. 2, lines 26-30, see Abstract*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of providing at least one rule that defines containment of said at least one compartment in at least one configuration file to the existing system of Purdy in order to increase the security by providing access control and privileges (*col. 2, lines 26-30 and Abstract*).

21. As to claim 8, it is rejected for the same reasons as stated in the rejections of claims 1 and 7.

22. As to claim 9, Hyndman teaches adding a new rule for a particular component, removing an existing rule for a particular component with the use of privileges and the administrator has the listing of all the rules (*col. 2, lines 26-30 and Abstract*).

23. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Purdy et al. (hereinafter Purdy) (US 6,115,719) in view of Thalhammer-Reyero (US 5,930,154).**

24. As to claim 4, Purdy fails to explicitly teach adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment. However, Thalhammer-Reyero teaches adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment (*col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment to the existing system of Purdy in order to increase the control by allowing adjustments of compartments.

25. **Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purdy et al. (hereinafter Purdy) (US 6,115,719) in view of Manukyan (US 6,687,733 B2).**

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26. As to claim 5, Purdy fails to explicitly teach defining said at least one compartment in at least one configuration file. However, Manukyan teaches defining at least one compartment in at least one configuration file (*col. 11, lines 29-47*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of defining at least one compartment in at least one configuration file to increase the functionality of the system because the configuration file allows for services to be delivered (*col. 11, lines 29-47*).

27. As to claim 6, Manukyan teaches wherein said at least one command-line utility is executable (commands include a set of sequence or instructions and operations that are executed) to manipulate said at least one compartment without requiring a user to edit said at least one configuration file (*col. 25, lines 30-34, col. 11, lines 39-43*).

28. **Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manukyan (US 6,687,733 B2) in view of Fletcher et al. (hereinafter Fletcher) (US 6,009,274).**

29. As to claim 11, Manukyan fails to explicitly teach wherein said means for performing management of said at least one compartment further enables management actions initiated via said means for performing management to be performed dynamically, without requiring that the system be re-booted in order for said management actions to be effective within said system. However, Fletcher teaches an agent that manages components (compartments) dynamically,

without having to actually reboot the system (*col. 9, lines 3-16*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of wherein said means for performing management of said at least one compartment further enables management actions initiated via said means for performing management to be performed dynamically, without requiring that the system be re-booted in order for said management actions to be effective within said system to the existing system of Manukyan in order to increase the convenience and practicality (*col. 9, lines 3-16*).

30. As to claim 14, it is rejected for the same reasons as stated in the rejection of claim 11.

31. **Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Manukyan (US 6,687,733 B2) in view of Thalhammer-Reyero (US 5,930,154).**

32. As to claim 13, Manukyan fails to explicitly teach adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment. However, Thalhammer-Reyero teaches adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment (*col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13*). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to include the feature of adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment to the existing system of Manukyan in order to increase the control by allowing adjustments of compartments.

33. **Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manukyan (US 6,687,733 B2) in view of Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1).**

34. As to claim 16, Manukyan teaches at least one configuration file including at least one rule defining containment of said at least one compartment. However, Hyndman teaches a rule-based system for containment (access control) for compartments (building blocks or components) (*col. 1, lines 34-46, col. 2, lines 26-30, see Abstract*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of providing at least one rule that defines containment of said at least one compartment in at least one configuration file to the existing system of Manukyan in order to increase the security by providing access control and privileges (*col. 2, lines 26-30 and Abstract*).

35. As to claim 17, Hyndman teaches wherein said performing management of said at least one compartment comprises manipulating said at least one rule (*col. 1, lines 56-60 and col. 2, lines 26-37 and Abstract*).

36. As to claim 18, Hyndman teaches adding a new rule for a particular component, removing an existing rule for a particular component with the use of privileges and the administrator has the listing of all the rules (*col. 2, lines 26-30 and Abstract*).

37. **Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1) in view of Thalhammer-Reyero (US 5,930,154).**

As to claim 21, Hyndman fails to explicitly teach adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment. However, Thalhammer-Reyero teaches adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment (*col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment to the existing system in order to increase the control by allowing adjustments of compartments.

38. **Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1) in view of Manukyan (US 6,687,733 B2).**

39. As to claim 22, Hyndman fails to explicitly teach defining said at least one compartment in at least one configuration file. However, Manukyan teaches defining at least one compartment in at least one configuration file (*col. 11, lines 29-47*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of defining at least one compartment in at least one configuration file to the existing system of Hyndman in order to increase the functionality of the system because the configuration file allows for services to be delivered (*col. 11, lines 29-47*).

40. As to claim 23, it is rejected for the same reasons as stated in the rejection of claim 10. In addition, Manukyan teaches performing manipulation of said at least one compartment without requiring that a user (administrator) edit said at least one configuration file in which said at least one component is defined (*col. 25, lines 30-34, col. 16, lines 25-41, col. 11, lines 29-47*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt
8/25/04



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